



NEW YORK REPUBLICAN STATE COMMITTEE

WILLIAM D. POWERS
Chairman

June 21, 1994

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Donald L. Averett
Senior Reports Analyst
Reports Analysis Division
Federal Election Commission
Washington, D.C. 20463

Identification Number: C00055582
Reference: April Quarterly Report (1/1/94 - 3/31/94)

Dear Mr. Averett:

Please be advised that regarding your letter on our April Quarterly Report (1/1/94 - 3/31/94):

* All contribution solicitations for this reporting period complied with the then applicable "best efforts" regulations. Furthermore, follow-up phone calls were made by the committee to ascertain any omitted information by contributors.

* Regarding your comments on the 100% non-federal transfers for allocated expenses, the committee utilizes the payment from allocation account method. We do not utilize the payment from the federal account method. We acknowledge that during 1993 and early 1994, the committee did make transfers into the allocation account consisting of 100% non-federal funds and 0% federal funds. These transfers were made to support our "Victory '93" operations which were conducted on behalf of the non-federal, New York City Mayoral Campaign. Based on conversations with FEC staff, we now acknowledge that such transfers were inadvertent technical mistakes. At the time they were made, however, we were abiding to the Federal Election Law's spirit of full disclosure.



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By funding "Victory '93" operations through our allocation account with 100% non-federal transfers, we were reporting and providing notice to the FEC that we had determined this election to have no federal involvement and thus requiring no federal monies. We could have omitted any reporting to the FEC and paid these operations directly out of our state account. In that event, the FEC would have never been aware of these expenditures. We did not do this, however, because we wished to fully disclose our activities to the FEC. Because we implement the payment from allocation account method, which as you know is operated as a zero-sum account for each individual expenditure, there was absolutely no commingling of federal and non-federal monies. Furthermore, since there were no federal elections in New York in 1993, there is not even a remote chance that non-federal monies were spent on federal candidates. Consequently, your recommendations for transfers from our federal account to our state account would only penalize us for overdisclosure when in fact no commingling of federal and non-federal funds occurred. The committee is now remedying our administrative procedures and will no longer transact any 100% non-federal transfers to our allocation account.

Thank you for your cooperation.

Very truly yours,

Jeffrey T. Buley
Counsel

New York Republican State Committee

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